

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DRT GROUP, LLC

Plaintiff,

- against -

DEAD RABBITS, LLC, BRIAN BIRNBAUM and
M.K. RAINEY,

Defendants
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USDC SDNY
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DOC #:

CONSENT DECREE

FILED: 3/13/2020

1:19-cv-11945 (AKH)

UPON the Complaint in this action seeking a permanent injunction and other relief, on
consent and and for good cause shown,

IT IS hereby ORDERED and DECREED,

(A) that That Defendants, and additionally all owners, officers, directors, agents, servants,
employees, affiliates, attorneys, successors, and assigns, and all persons in active concert or participation
with them, including but not limited to their writers, designers, distributors and retailers, be permanently
enjoined and restrained from:

(1) reproducing, copying, displaying, the trademark "DEAD RABBIT" or the design found in
Trademark Reg. No. 5723596 ("Rabbit design"); or any marks similar to or substantially indistinguishable
therefrom; and

(2) advertising, promoting, importing, shipping, selling, marketing, offering for sale or otherwise
distributing goods in connection with the trademark "DEAD RABBIT", the Rabbit design or any mark
similar to or substantially indistinguishable there from; and

(3) holding themselves out as, or otherwise representing themselves to be, the owners of, or
otherwise authorized to use, the "DEAD RABBIT" name, or Rabbit design; or

(4) from in any other way infringing the DEAD RABBIT trademarks or Rabbit design; or

(5) effecting assignments or transfers, forming new entities or associations or utilizing any other
means or devices for the purpose of circumventing or otherwise avoiding the prohibitions set forth in
numbers (1) through (4) hereof.

(B) That the United States Patent and Trademark Office is hereby directed to cancel Trademark Registration 5826204 in accordance with 15 U.S.C. §1119.

(C) That the domain deadrabbitsbooks.com be and hereby is cancelled pursuant to 15 U.S.C. § 1125(d)(2)(D)(i) and the defendants are directed to abandon the domain with the Registrar;

(D) That Defendants shall pay to Plaintiff the sum of \$10,000 in agreed upon damages by check delivered to Plaintiff's counsel within 15 days.

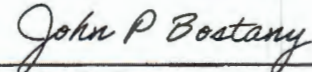
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By:


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So Ordered:

3-13-2020


Hon Alvin K. Hellerstein, U.S.D.J.